

7

REMARKS

Applicant has carefully reviewed the Office Action dated May 20, 2005. Claims 1-18 are pending in the application. Applicant has amended Claims 1, 2, 10 and 11 to more clearly point out the present inventive concept. New Claims 21 and 22 have been added. Reconsideration and favorable action is respectfully requested.

Claims 1 and 10 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. This rejection is respectfully traversed with respect to the amended claims.

The Examiner has objected to Applicant's use of the term "control information" as not being described in the Specification. The control information that Applicant is referring to is the unique information that is transmitted from the phone to the "user PC." This description can be found with reference to the description of Figure 28, specifically to the description on page 49, beginning at line 8 and function block 2804. When the trigger button 2712 is pressed, signal information is output to the user PC 302. In and of itself, this unique information signal does not include any routing information. However, it is the association of this code in a relational data base that provides the overall function. However, this is an overall system concept. Thus, it is the transmitting of a code that initiates the operation wherein information is sent back to the user PC. It is this unique information that the user PC utilizes in order to access information from the remote location on the network. Although it utilizes it via an intermediate location and a relational data base, it is still this information that initiates the operation and results in information being returned to the user PC.

Applicant has amended the claims to change the term "control" to "unique" in order to possibly clarify the claim for the Examiner. However, Applicant believes that both terms set forth some type of information that results in the display on the user PC being controlled via the display of information from a remote location. In view of the amendments to the claims and the arguments herein above, Applicant believes that Claims 1 and 10 overcome the 35 U.S.C. §112 rejection with respect thereto, the withdrawal of which is respectfully requested.

AMENDMENT AND RESPONSE

S/N 09/602,034

Atty. Dkt. No. PHL-Y-25,337

Claims 1 and 10 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. This rejection is respectfully traversed with respect to the amended claims.

The Examiner has objected to the term "no routing information" that is contained within the unique information (as amended). In the claims, Applicant has specifically noted that the unique information is what is transferred to the user PC, but it has no routing information contained therein which routing information would uniquely identify the location of the remote location on the network. Thus, something else must be required in order to identify the remote location on the network. In this context, the claims set forth that the unique information has a predetermined association with the remote location. The claims have been amended to indicate such. Therefore, it is the association with the remote location that can be found at other locations on the Web or even in the user PC, that is utilized for connection. Therefore, it is the unique information received from the cellular telephone and the predetermined association thereof with the remote location that is utilized in order to control the computer to access the remote location and display it on the user PC. Therefore, Applicant believes that the amended claims now overcome the 35 U.S.C. §112 rejection with respect to the written description requirement, and respectfully requests withdrawal thereof.

Claims 1-18 stand rejected under 35 U.S.C. §102(a) as being anticipated by *Tendler*. This rejection is respectfully traversed.

The *Tendler* reference is a reference wherein a cellular telephone is provided which is GPS enabled. There is a provision to place a large number of speed dial numbers on to the phone and, when a particular button is activated, the phone will call a predetermined number via the cell network and provide both the identity of the caller along with location information of that caller. In column 5, beginning at line 32, it is set forth that the central office, i.e., the dispatch center 50, is operable to receive a service request which provides the position of the cellular phone that placed the service request, possibly a vehicle identification number, and the cellular phone number of the cellular phone initiating the call. Thus, what is provided to the dispatch center is information regarding the originator

**AMENDMENT AND RESPONSE**

S/N 09/602,034

Atty. Dkt. No. PHL-25,337

9

of the communication. There is no disclosure that would provide some code to a user PC, which code would have no routing information contained therein, i.e., in and of itself it would not identify the remote location on the network absent some association with that network. What is provided is a caller ID, a vehicle identification number, and the location of the user. There is no user PC that is in physical proximity to the cellular telephone but, rather, the user must transfer this over a cell link to the remote PC, as this is on a cell site. Clearly, the dispatcher (50) is at a remote location. Further, the vehicle ID is not associated with anything but the vehicle. The GPS location provides information about the user location. There is no disclosure of any ID, such as the user ID or vehicle ID, that is sent to the dispatcher for the purpose of looking up in a data base a remote location on the Web wherein there is an "association" of that transmitting information to that remote location on the network.

The Examiner is interpreting the term "user PC" as being the dispatch center. However, the claims set forth that this must be in physical proximity to the user PC and *Tendler* does not satisfy this aspect of the claim. Further, the Examiner indicates that the unique information or control information is transferred to the user PC, citing column 5, lines 44-54, which is directed toward the operation of the dispatch center (50) and the computer (66). Again, this is not in physical proximity to the user. In column 5, line 55-65, the Examiner has indicated that this limitation in a claim that requires the user PC to access information from a remote location. However, the Examiner has referred to the user PC as being the CPU (66), wherein what is provided is a link between the cellular phone and a service provider. This association is nothing more than a determination of which provider is closest to the cell phone based upon the GPS coordinates. Thus, if the GPS information is considered to be the ID, then it must be the use of this ID that results in information transmitted to the user PC. However, this fails due to the fact that there is no disclosure of a user PC in proximity to the cell phone. As such, Applicant believes that *Tendler* does not anticipate or obviate the invention as set forth in amended Claims 1 and 10 and, therefore, respectfully requests withdrawal of the 35 U.S.C. §102 rejection with respect thereto. With respect to the remaining claims, dependent from Claims 1 and 10, the withdrawal of 35 U.S.C. §102 rejection with respect thereto is also respectfully requested.

**AMENDMENT AND RESPONSE**

S/N 09/602,034

Atty. Dkt. No. PHL Y-25,337

**BEST AVAILABLE COPY**

SENT BY: HOWISON, & ARNO;

972 479 0464

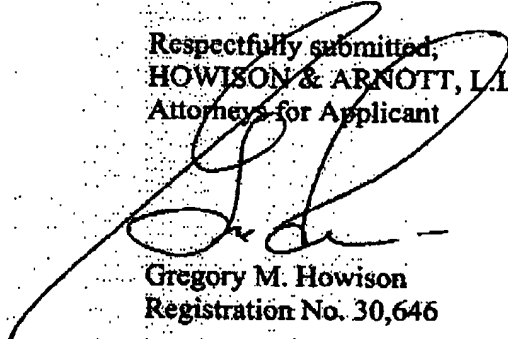
; NOV-21-05 4:21PM;

PAGE 14/15

10

Applicant has now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicant respectfully requests full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/PHLY-25,337 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,  
HOWISON & ARNOTT, L.L.P.  
Attorneys for Applicant

  
Gregory M. Howison  
Registration No. 30,646

GMH/yoc/cr

P.O. Box 741715  
Dallas, Texas 75374-1715  
Tel: 972-479-0462  
Fax: 972-479-0464  
November 21, 2005

AMENDMENT AND RESPONSE  
S/N 09/602,034  
Atty. Dkt. No. PHLY-25,337